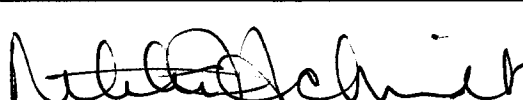
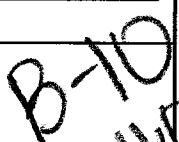


COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS

AGENDA ITEM TRANSMITTAL

(1) DEPARTMENT Planning and Building		(2) MEETING DATE April 11, 2006		(3) CONTACT/PHONE Kim Murry, Division Manager 781-5623	
(4) SUBJECT A request for the Board to authorize the use of alternative publication procedures for amendments to Title 26, The County's Growth Management Ordinance, Title 19, The Building and Construction Ordinance and Title 22, The County Land Use Ordinance.					
(5) SUMMARY OF REQUEST Your Board can order that a display advertisement be published both prior to, and following, the public hearing for adoption of the following amendments. On May 9, 2006, your Board will hold public hearings on proposed amendments as follows: 1. LRP 2005-00011 - Request by the County of San Luis Obispo to amend the Growth Management Ordinance, Title 26 of the County Code, to maintain the county-wide growth rate at 2.3% and the Nipomo Mesa Area rate at 1.8%, and set the Cambria growth rate at 0%. In addition, other changes include: 1) Redefine/refine the categories listed in the Growth Management Ordinance (i.e. single family vs multi-family/planned development). 2) Revise percentages reserved for each category to reflect current trends. 3) Increase the percent allowed to any one developer for projects that meet certain criteria, such as smart growth, green build, etc. 4) For Nipomo Mesa Area, allow additional units to be allocated between the 1.8% and the 2.3% growth rate for projects that meet the criteria listed above. 5) For areas with waiting time for allotment selection of more than 18 months, allow application for an allotment once the land use permit is approved/subdivision is recorded rather than requiring full working drawings to be developed and submitted prior to application for an allotment. 6) Clarify Growth Management ordinance to include requirement of approval of any applicable land use permit in addition to full construction permit application in order to apply for allotment. and 7) Update an incorrect ordinance reference in section 26.01.034b. Supervisory District: All 2. LRP2005-00006 - A proposal by the County of San Luis Obispo to adopt planning area standards that would require applications for general plan amendments and land divisions in the Nipomo Mesa Water Conservation Area to document no net increase in non-agricultural water use or provide supplemental water or pay a supplemental water development fee. Other proposed amendments would broaden the application of low water use landscape requirements and would require the inclusion of specific indoor and outdoor water conservation measures in all new construction. The proposal includes recommendations to amend the Land Use Ordinance, Title 22, the South County Area Plan and the Building and Construction Ordinance, Title 19. County File Number: Supervisory District No.4					
(6) RECOMMENDED ACTION 1. Authorize that a display advertisement of one-quarter page be published in a newspaper of general circulation in the county no later than April 29, 2006 indicating the general nature of the proposed Ordinance amendments to be considered on May 9, 2006. 2. Authorize a one-quarter page display ad be placed in a newspaper of general circulation within 15 days after adoption of the proposed amendment by your Board.					
(7) FUNDING SOURCE(S) Current Budget		(8) CURRENT YEAR COST N/A		(9) ANNUAL COST N/A	
(10) BUDGETED? <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A					
(11) OTHER AGENCY/ADVISORY GROUP INVOLVEMENT (LIST): These amendments were referred to the applicable advisory groups and interested agencies.					
(12) WILL REQUEST REQUIRE ADDITIONAL STAFF? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, How Many? _____ <input type="checkbox"/> Permanent _____ <input type="checkbox"/> Limited Term _____ <input type="checkbox"/> Contract _____ <input type="checkbox"/> Temporary Help _____					
(13) SUPERVISOR DISTRICT(S) <input type="checkbox"/> 1st, <input type="checkbox"/> 2nd, <input type="checkbox"/> 3rd, <input type="checkbox"/> 4th, <input type="checkbox"/> 5th, <input checked="" type="checkbox"/> All		(14) LOCATION MAP <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A		(15) Maddy Act Appointments Signed-off by Clerk of the Board	
(16) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Presentation <input type="checkbox"/> Board Business (Time Est. _____)		(17) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions (Orig + 4 copies) <input type="checkbox"/> Contracts (Orig + 4 copies) <input type="checkbox"/> Ordinances (Orig + 4 copies) <input checked="" type="checkbox"/> N/A			
(18) NEED EXTRA EXECUTED COPIES? <input type="checkbox"/> Number: _____ <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A		(19) APPROPRIATION TRANSFER REQUIRED? <input type="checkbox"/> Submitted <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A			
(20) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(21) W-9 <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		(22) Agenda Item History <input type="checkbox"/> N/A Date 2/28/06 Study Session	
(23) ADMINISTRATIVE OFFICE REVIEW <div style="text-align: center; font-size: 2em; font-family: cursive;">  </div> <div style="text-align: right; font-size: 2em; font-family: cursive;">  </div>					



SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

TO: BOARD OF SUPERVISORS

FROM: KIM MURRY, DIVISION MANAGER
JOHN HAND, SENIOR PLANNER

VIA: PAT BECK, ASSISTANT DIRECTOR OF PLANNING AND BUILDING

DATE: APRIL 11, 2006

SUBJECT: A REQUEST FOR THE BOARD TO AUTHORIZE THE USE OF ALTERNATIVE PUBLICATION PROCEDURES FOR AMENDMENTS TO TITLE 26, THE COUNTY'S GROWTH MANAGEMENT ORDINANCE, TITLE 19, THE BUILDING AND CONSTRUCTION ORDINANCE AND TITLE 22, THE COUNTY LAND USE ORDINANCE.

RECOMMENDATION

1. Authorize that a display advertisement of one-quarter page be published in a newspaper of general circulation in the county no later than April 29, 2006, indicating the general nature of the proposed Ordinance amendments to be considered on May 9, 2006.
2. Authorize a one-quarter page display ad be placed in a newspaper of general circulation within 15 days after adoption of the proposed amendment by your Board.

DISCUSSION

On May 9, 2006, your Board will hold a public hearing on proposed amendments to Title 26, the Growth Management Ordinance of the County Code and Title 21, the Real Property Division Ordinance. The California Government Code, Section 25124, establishes specific publication requirements for ordinance amendments. Your Board can order that a display advertisement be published in a newspaper of general circulation in the county prior to the public hearing and that a display ad be placed in a newspaper of general circulation following adoption of the amendments.

On May 9, 2006, your Board will hold public hearings on the following amendments:

1. **LRP 2005-00011** - Request by the County of San Luis Obispo to amend the Growth Management Ordinance, Title 26 of the County Code, to maintain the county-wide growth rate at 2.3% and the Nipomo Mesa Area rate at 1.8%, and set the Cambria growth rate at 0%. In addition, other changes include:
 1. Redefine/refine the categories listed in the Growth Management Ordinance (i.e. single family vs multi-family/planned development).
 2. Revise percentages reserved for each category to reflect current trends.
 3. Increase the percent allowed to any one developer for projects that meet certain criteria, such as smart growth, green build, etc.

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4. For Nipomo Mesa Area, allow additional units to be allocated between the 1.8% and the 2.3% growth rate for projects that meet the criteria listed above.
5. For areas with waiting time for allotment selection of more than 18 months, allow application for an allotment once the land use permit is approved/subdivision is recorded rather than requiring full working drawings to be developed and submitted prior to application for an allotment.
6. Clarify Growth Management ordinance to include requirement of approval of any applicable land use permit in addition to full construction permit application in order to apply for allotment.
7. Update an incorrect ordinance reference in section 26.01.034b.

Supervisory District: All

2. **LRP2005-00006** - A proposal by the County of San Luis Obispo to adopt planning area standards that would require applications for general plan amendments and land divisions in the Nipomo Mesa Water Conservation Area to document no net increase in non-agricultural water use or provide supplemental water or pay a supplemental water development fee. Other proposed amendments would broaden the application of low water use landscape requirements and would require the inclusion of specific indoor and outdoor water conservation measures in all new construction. The proposal includes recommendations to amend the Land Use Ordinance, Title 22, the South County Area Plan and the Building and Construction Ordinance, Title 19.

Supervisory District No.4

DISCUSSION

The California Government Code establishes specific publication requirements for ordinance amendments, and offers two cost-saving alternatives to publishing the complete text of an adopted ordinance after its passage (which has historically been the most commonly-used method). The alternatives include either publishing a summary of the proposed amendments; or, where the official responsible for the ordinance determines that a summary would not be effective, and with the consent of your Board, a simple display ad can be published in a local newspaper noting passage of the ordinance, where it can be obtained, and how your Board voted on its adoption.

Therefore, in accordance with Section 25124 of the California Government Code, we are requesting that your Board order that a display advertisement of a one-quarter page be published in a newspaper of general circulation in the county, indicating the general nature of the proposed Ordinance amendments to be considered. In addition, it is requested that your Board direct that a one-quarter page display advertisement be placed in a newspaper of general circulation within 15 days after adoption of the proposed amendments.

Because publication of a display advertisement would cost substantially less than the full text of the adopted amendments, your favorable consideration on this matter is appreciated.

OTHER AGENCY INVOLVEMENT/IMPACT

These amendments were referred to applicable advisory groups and interested agencies.

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FISCAL CONSIDERATIONS

Publication of a display advertisement costs substantially less than the full text of the adopted amendments.

RESULTS

Advertising of the amendments will allow public hearings to occur in conformance with the Government Code and will cost substantially less than the full text of the adopted amendments.

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